

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 27TH MARCH 2007 / 6TH CHAITHRA 1929

WP(C).No. 9552 of 2007(H)

PETITIONER:

JACOB JOHN, S/O JOHN,
PRINCE BHAVAN, MANOOR P.O.,
ITTIRA VILLAGE, KOTTARAKKARA.

BY ADV. SRI.VARGHESE C.KURIAKOSE
SRI.PRAVEEN K. JOY

RESPONDENTS:

1. THE DISTRICT COLLECTOR,
KOLLAM.
2. THE TAHSILDAR,
KOTTARAKKARA.
3. THE VILLAGE OFFICER,
ITTIRA VILLAGE.
4. ITTIRA GRAMA PANCHAYAT,
REPRESENTED BY ITS SECRETARY.
5. GOVERNMENT AYURVEDA DISPENSARY,
ITTIRA, REPRESENTED BY SECRETARY,
ITTIRA GRAMA PANCHAYAT.

BY G.P.SRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 27/03/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

Thottathil B. Radhakrishnan, J.

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W.P.(C)No.9552 of 2007

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Dated this the 27th day of March, 2007.

JUDGMENT

The dispute raised is as to the identities of the properties of the petitioner vis-a-vis that of a Panchayat. These are not matters that can gain the attention of the writ court. In this writ petition filed on 20-3-2007, the petitioner seeks a direction to the competent respondents to dispose of Ext.P6, an undated application, which the counsel for the petitioner now says was filed after Ext.P5 was placed before the District Collector. If that be so, Ext.P5 being despatched only on 11-3-2007, it is too early in the day to direct any revenue or survey authorities to take any action for demarcation. Petitioner also seeks a declaration that there is an illegal acquisition and construction by respondents 4 and 5. I find no ground to grant any of those reliefs. Petitioner has adequate efficacious alternate remedy before the civil court, if he has any grievance. The statutory authorities are not to be compelled to forthwith take any action on the

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application for demarcation, that too, particularly when there may be disputes as to possession. Writ petition fails. It is hence dismissed without prejudice to other statutory remedies or suits.

**Thottathil B.Radhakrishnan,
Judge.**

sl.